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ABOUT THE AIR

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UPDATE ON MICHIGAN'S 8-HOUR OZONE ATTAINMENT EFFORTS

OZONE IS FOUND IN TWO REGIONS OF THE EARTH'S ATMOSPHERE—UPPER AND AT GROUND LEVEL. BOTH TYPES OF OZONE HAVE THE SAME CHEMICAL COMPOSITION. WHILE UPPER ATMOSPHERIC OZONE FORMS A PROTECTIVE LAYER FROM THE SUN'S HARMFUL RAYS, GROUND-LEVEL OZONE IS THE PRIMARY COMPONENT OF SMOG AND IS UNHEALTHY TO BREATHE, ESPECIALLY FOR PEOPLE WITH RESPIRATORY DISEASES AND FOR CHILDREN AND ADULTS WHO ARE ACTIVE OUTDOORS.

GROUND-LEVEL OZONE IS NOT EMITTED DIRECTLY INTO THE AIR, BUT FORMS THROUGH A REACTION OF NO_x AND VOCs IN THE PRESENCE OF SUNLIGHT. BECAUSE SUNLIGHT AND HOT WEATHER ACCELERATE ITS FORMATION, OZONE IS MAINLY A SUMMERTIME AIR POLLUTANT.

EMISSIONS FROM INDUSTRIAL FACILITIES, ELECTRIC UTILITIES, VEHICLE EXHAUST, GASOLINE VAPORS, AND CHEMICAL SOLVENTS ARE THE MAJOR MAN-MADE SOURCES OF NO_x AND VOCs.

BOTH URBAN AND RURAL AREAS CAN HAVE HIGH OZONE LEVELS, OFTEN DUE TO TRANSPORT OF OZONE OR ITS PRECURSORS (E.G., NO_x AND VOCs) FROM HUNDREDS OF MILES AWAY.

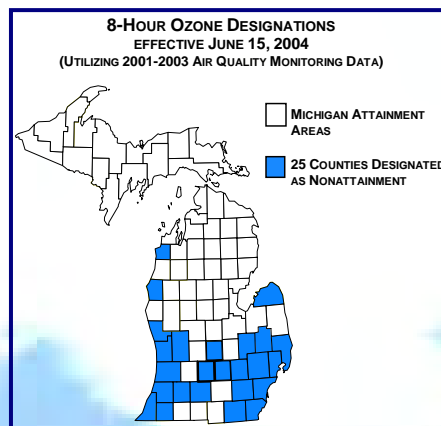
IN 1997, THE EPA ISSUED THE AVERAGE-BASED 8-HOUR OZONE NAAQS OF 0.08 PPM (ATTAINED WHEN THE 3-YEAR AVERAGE OF THE 4TH HIGHEST VALUE IS AT OR BELOW 0.084 PPM).

On June 15, 2004, the U.S. Environmental Protection Agency (EPA) designated 25 counties in Michigan (shown in blue) as nonattainment for the 8-hour ozone National Ambient Air Quality Standard (NAAQS). Nonattainment indicates that the area does not meet NAAQS, or contributes to violations of the standard in another area. Under the Clean Air Act's (CAA's) Section 107, states can petition EPA to redesignate areas to attainment. Essential

elements for a redesignation package include air quality monitoring data showing attainment, emission inventories for several different time periods to demonstrate permanent and enforceable reductions in emissions, a maintenance plan containing commitments to ensure continued attainment of the ozone standard through the year 2018, and a state implementation plan (SIP) that contains all required emission air program elements and control measures.

The following is an update on the efforts of the Michigan Department of Environmental Quality's (MDEQ's) Air Quality Division (AQD) to attain and maintain compliance for Michigan with the 8-hour ozone NAAQS. These efforts include creating partnerships, control strategies, and other essential criteria necessary to redesignate Michigan's nonattainment areas to attainment.

(MI'S OZONE EFFORTS CONTINUE ON PAGE 2)



WHAT'S "UP" IN THE AIR

MICHIGAN'S 8-HOUR OZONE ATTAINMENT EFFORTS (CONTINUED)	2
EPA PROPOSES REVISIONS TO 8-HOUR OZONE STANDARD	4
UPDATES ON THE PM NAAQS	5
UPDATE ON THE AMBIENT AIR MONITORING PROGRAM	7
AQD RECEIVES AIR TOXICS MONITORING GRANT	7
CLEAN AIR VISIBILITY RULE	8
UPDATES ON MI'S PROPOSED AIR POLLUTION RULES	10
MICHIGAN'S CONSUMER PRODUCT RULES	12
AQD PERMIT DECISIONS	13
AQD ENFORCEMENT ACTIONS	14
MDEQ'S ENVIRONMENTAL ASSISTANCE PROGRAM	17
ENVIRONMENTAL WORKSHOPS	18
-- MONTHLY AIR PERMIT APPLICATION WORKSHOP FOR FIRST-TIME APPLICANTS	18
-- CLIMATE CHANGE AND ALTERNATIVE ENERGY CONFERENCE	18
AIR QUALITY REPORTS	19
WHAT'S NEW "IN THE AIR" FROM EPA'S WEBSITE	20
-- EPA'S FINAL RULES	20
-- EPA'S PROPOSED RULES	23
-- EPA PUBLICATIONS	23

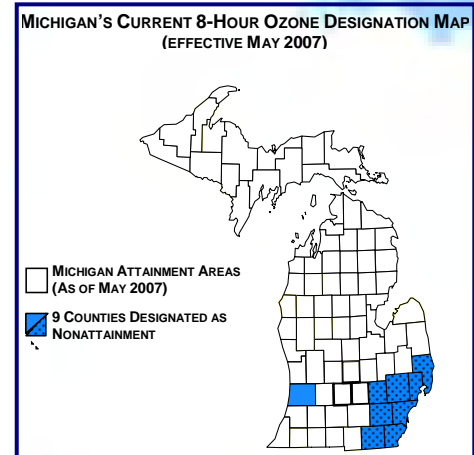
WORKING TOGETHER FOR CLEANER AIR

MICHIGAN'S 8-HOUR OZONE ATTAINMENT EFFORTS (CONTINUED):

Redesignation to attainment status is important for Michigan as it more accurately reflects air quality conditions in these counties and it removes a federal regulation that is a disincentive for economic growth. Federal regulations in nonattainment counties mean stricter permitting requirements are required in those areas for opening a new or expanding an existing manufacturing facility.

SIXTEEN MICHIGAN COUNTIES DESIGNATED AS ATTAINMENT:

The air is healthier for Michigan residents in an additional 16 counties where emissions of ozone precursors have been reduced. As shown in blue on the updated map at the right, the MDEQ successfully petitioned EPA to change the status for 16 of the 25 designated nonattainment counties to attainment. The final rule approving Michigan's redesignation requests for the counties of Benzie, Berrien, Calhoun, Cass, Clinton, Eaton, Genesee, Huron, Ingham, Kalamazoo, Kent, Lapeer, Mason, Muskegon, Ottawa, and Van Buren was published in the [May 16, 2007 Federal Register \(FR\)](#). Also approved were Michigan's plans for maintaining the NAAQS through 2018 for these counties incorporating the maintenance plans into the Michigan SIP. In addition, EPA found adequate and approved the Motor Vehicle Emission Budgets for purposes of transportation conformity.



Due to recent high ozone days, preliminary data suggest that several monitors have experienced ozone violations in the Muskegon and Grand Rapids attainment areas. The approved maintenance plans include contingency measures to remedy any possible violations of the NAAQS. The AQD will identify the contingency measures triggered and will seek input from the communities on which measures would be most appropriate for these attainment/maintenance areas. These measures are then required to be implemented within an 18 month period.

STATUS OF SOUTHEAST MICHIGAN'S 8-HOUR OZONE REDESIGNATION REQUEST: As shown on the above map, Michigan now has nine counties designated as nonattainment for the 8-hour ozone NAAQS. One county (Allegan) is located in West Michigan (■) and the remaining eight counties are located in Southeast Michigan (■). For Southeast Michigan, the AQD has been working on an 8-hour ozone redesignation demonstration for the counties of Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne. Quality-assured 2004-2006 ozone monitoring data shows that these eight counties are attaining the 8-hour ozone NAAQS. In addition, the AQD and the Southeast Michigan Council of Governments (SEMCOG) have cooperatively worked on the Southeast Michigan Attainment Strategy which consists of three primary measures for reducing volatile organic compounds (VOCs). Two of the three primary measures have been implemented in 2007 and submitted to EPA as revisions to the Michigan SIP. These are the maximum Reid Vapor Pressure limit of 7.0 pounds per square inch of gasoline sold during the summer in Southeast Michigan, and [Rules 660 and 661](#) of the [Michigan Air Pollution Control Rules](#) to reduce the volatility of consumer and commercial products sold in Michigan [SEE [CONSUMER PRODUCT RULES 2007-006EQ](#) ON PAGE 11, [ARTICLE](#) ON PAGE 12, AND [EPA'S FINAL RULES](#) ON PAGE 20]. On July 11, 2007, the MDEQ held a public hearing on the redesignation request and maintenance plan SIP revision. However, due to recent high ozone days, preliminary data suggests that several monitors in Southeast Michigan have experienced ozone violations which would disqualify the area from redesignation. Therefore, the AQD has decided not to pursue the redesignation request for Southeast Michigan at this time.

(MICHIGAN'S OZONE ATTAINMENT EFFORTS CONTINUE ON PAGE 3)

STATUS OF SOUTHEAST MICHIGAN'S 8-HOUR OZONE REDESIGNATION REQUEST (CONTINUED): It is important to note that a number of voluntary actions to reduce emissions of VOC and nitrogen oxides (NO_x) have been implemented that include:



- education and outreach efforts,
- a remote sensing study for identification of high-emitting vehicles,
- locomotive engine rebuilding and retrofitting, and
- diesel exhaust retrofits for trash collection trucks and some school buses [SEE PAGE 24 FOR INFORMATION ON THE CLEAN SCHOOL BUS USA PROGRAM].

In addition, a U.S. Federal Aviation Administration Voluntary Airport Low Emissions grant, totaling nearly \$5.2 million, was awarded to the Wayne County Metropolitan Airport (DTW) to support the airport's plan to reduce operational emissions at its new North Terminal, now under construction. The DTW's North Terminal will provide an infrastructure to deliver fuel, temperature-controlled air and auxiliary electrical power directly to aircraft parked at each new boarding gate. The new hydrant fueling system will eliminate emissions associated with mobile fuel trucks, while the preconditioned air and 400 hertz electrical power units will reduce the reliance on on-board auxiliary power units and diesel-powered portable ground power units, thus reducing fuel consumption and associated emissions. According to the DTW, the new facility will be one of the newest, most operationally-capable and efficient airports in North America.

The AQD has also been working diligently on the third primary measure of the Southeast Michigan Attainment Strategy. This measure is the delayed adoption and implementation of the proposed state [Rule 640](#) [SEE RULE UPDATES FOR [2006-043EQ](#) ON PAGE 11] which limits VOC emissions during the ozone season (May 1 to September 30) from a major cement manufacturing source in Southeast Michigan. Public hearings were held on September 5 and September 27, 2007 for this proposed rule package. The AQD is currently reviewing the comments received and will make any appropriate changes to the proposed rule. The proposed rule package will then be submitted to the State Office of Administrative Hearings and Rules, the Legislative Service Bureau, and the Joint Committee on Administrative Rules per the Administrative Procedures Act, 1969 Public Act 306, as amended. Following promulgation, the rule will be submitted to the EPA as part of the Michigan ozone SIP.

8-HOUR OZONE NONATTAINMENT IN WEST MICHIGAN: West Michigan's Allegan County has remained in nonattainment for the 8-hour ozone NAAQS primarily due to overwhelming ozone transport from Michigan's neighboring states. To address this issue, the AQD has been working through the Lake Michigan Air Directors' Consortium (LADCO) with the neighboring states to identify strategies that will bring the entire region into attainment. The LADCO photochemical modeling has demonstrated that Allegan County is expected to attain the standard by 2009 through measures that will be implemented within the region in the next few years. The AQD intends to submit an attainment demonstration for Allegan County for inclusion in the SIP after a public hearing is held.

A summary of the highest 8-hour ozone concentrations for 2007 for all sites in Michigan is available on the AQD website at <http://www.deq.state.mi.us/documents/deq-aqd-mm-ozone-8hrhighestcurrent.pdf>. For questions on any of Michigan's ozone issues, contact Ms. Mary Maupin, AQD, 517-373-7039, e-mail MaupinM@michigan.gov.

Also visit the MDEQ's new  **MIair** website at <http://www.deqmiair.org/> for **Action! Days** information, updated air quality forecasts, continuous air monitoring data, or to sign up to receive "heads-up" air quality notifications through the **EnviroFlash** Program. Detailed information regarding  **MIair** can also be found in the [November 2006 About the Air newsletter](#).

EPA PROPOSES REVISIONS TO 8-HOUR OZONE STANDARD

Newer scientific evidence indicates adverse public health effects occur following exposure to ozone at levels below the current 8-hour ozone standard, particularly in those with respiratory illnesses. Repeated exposure to low levels of ozone also damages vegetation, trees, and crops which leads to increased susceptibility to disease, damaged foliage, and reduced crop yields. Due to this evidence, EPA has announced in the [July 11, 2007 FR](#), their proposal to revise both the *primary* standard designed to protect human health, and the *secondary* standard designed to protect welfare (such as vegetation and crops). EPA's proposal recommends a range for the primary standard between 0.070 and 0.075 parts per million (ppm) and is specifying the use of third decimal place instead of the two decimal place requirement (because of rounding, 0.084 ppm is commonly used to determine compliance). The agency is also requesting comments on alternative standards within a range of 0.060 ppm up to the current level of 0.084 ppm. For the secondary standard, EPA is proposing two options to improve protection for vegetation. One option is to establish a new form of the standard designed specifically to protect sensitive plants from damage caused by repeated ozone exposure throughout the growing season. This option would be a cumulative, weighted standard (W126) with a range of 7 to 21 ppm hours that would sum daily ozone concentrations across a three-month period when ozone concentrations are highest. The other option would be to follow the current practice of making the secondary standard identical to the proposed primary 8-hour standard.

According to EPA, there are 104 counties nationally out of compliance with the current standard. If the primary standard was changed to 0.075 ppm, 398 counties would be out of compliance, and at 0.070 ppm, 533 counties would be out of compliance. For Michigan, using current air monitoring data (2004-2006), approximately 22 counties would not meet the proposed 0.075 ppm standard, including Schoolcraft County in the Upper Peninsula, and every monitor in the state would exceed the proposed 0.070 ppm standard.

EPA is obligated by a consent decree to make a final decision on the ozone standard revisions by March 12, 2008. Based on this date, EPA has estimated an implementation schedule for achieving the new standard, which also includes information on current regulations utilized or needed to comply.

- By June 2009, states must submit to EPA their recommendations for areas to be designated attainment and nonattainment.
- By June 2010, EPA makes final designations of attainment and nonattainment areas, which would become effective 60 days after publication in the FR.
- In 2013 (three years after final designations are approved), states need to submit SIPs outlining how they will reduce pollution to meet the standards.
- From 2013 to 2030, states are required to meet the standard with deadlines depending on the classification assigned to the individual nonattainment areas.

On August 2, 2007, the EPA issued a Regulatory Impact Analysis (RIA) for the proposed ozone NAAQS. The RIA's underlying assumption is that the proposed alternative standards are achievable through known and unknown future air control technologies. Emissions of NO_x would be decreased which would also reduce fine particle pollution or PM_{2.5} (particulate matter less than or equal to 2.5 microns). For some urban areas, the analysis assumes that future innovation and technological advances will enable states to achieve the proposed standards by 2020. However, known controls are insufficient to attain either of the proposed standards (0.075 ppm or 0.070 ppm).

Information on ground-level ozone, EPA's proposed rule, RIA, public notices and hearings, and more are available on their website at <http://www.epa.gov/groundlevelozone/>. To view information on the AQD's current planning activities for ozone and PM_{2.5}, go to <http://www.michigan.gov/deqair> and under Announcements, click on "Current Air Quality Planning Activities."

PM IS CATEGORIZED ACCORDING TO THE SIZE AND HEALTH IMPACT OF THE PARTICLES. PARTICLE SIZE IS THE MAJOR FACTOR THAT DETERMINES WHICH PARTICLES WILL ENTER THE LUNGS AND HOW DEEPLY THEY WILL PENETRATE, E.G., THE SMALLER THE SIZE CREATES THE MOST SERIOUS HEALTH EFFECTS WHICH INCLUDE: AGGRAVATED ASTHMA, CHRONIC BRONCHITIS, REDUCED LUNG FUNCTION, IRREGULAR HEARTBEAT, HEART ATTACK, AND PREMATURE DEATH IN PEOPLE WITH HEART OR LUNG DISEASE.

IN 1971, NAAQS WAS ESTABLISHED FOR TSP (TOTAL SUSPENDED PARTICULATES). TSP IS CLASSIFIED AS PARTICLES WITH DIAMETERS OF LESS THAN 50 MICROMETERS (μm). THESE PARTICLES DO NOT REMAIN IN THE ATMOSPHERE AND PRESENT A SMALLER HEALTH RISK AS THEY ARE TOO LARGE TO BE INHALED. MOST MAN-MADE PARTICULATE EMISSIONS FALL INTO THE TSP RANGE.

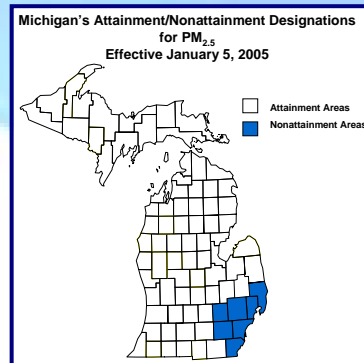
IN JULY 1987, WHEN RESEARCH DEMONSTRATED THAT SMALLER SIZE PARTICLES PRESENT A GREATER HEALTH RISK, THE PM_{10} NAAQS WERE PROMULGATED. PM_{10} ARE "COARSE PARTICLES" LESS THAN 10 μm IN DIAMETER (ABOUT ONE-SEVENTH THE DIAMETER OF A HUMAN HAIR) AND ARE COMPOSED LARGELY OF PRIMARY PARTICLES THAT ORIGINATE FROM POWER PLANTS, MANUFACTURING PROCESSES, WOOD STOVES AND FIREPLACES, FUGITIVE DUST SOURCES (ROAD DUST AND WIND BLOWN SOIL), AGRICULTURE AND FORESTRY PRACTICES, AND FOREST FIRES.

IN 1997, EPA REVISED THE PM NAAQS AND ESTABLISHED NAAQS FOR $\text{PM}_{2.5}$. $\text{PM}_{2.5}$ ARE MUCH SMALLER "FINE PARTICLES" EQUAL TO OR LESS THAN 2.5 μm IN DIAMETER AND CAN COME DIRECTLY FROM PRIMARY PARTICLE EMISSIONS INCLUDING POWER PLANTS, CARS, TRUCKS, INDUSTRIAL SOURCES, AND OTHER BURNING OR COMBUSTION-RELATED ACTIVITIES OR THROUGH SECONDARY REACTIONS (VOC, SO_2 AND NO_x EMISSIONS). INDIVIDUALS PARTICULARLY SENSITIVE TO $\text{PM}_{2.5}$ EXPOSURE INCLUDE OLDER ADULTS, PEOPLE WITH HEART AND LUNG DISEASE, AND CHILDREN.

IN 2006, EPA AGAIN REVISED THE PM NAAQS AND LOWERED THE 24-HOUR $\text{PM}_{2.5}$ STANDARD.

UPDATES ON THE PM NAAQS

On January 5, 2005, EPA designated seven counties in Southeast Michigan as nonattainment for $\text{PM}_{2.5}$ (Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne). States must demonstrate attainment by 2010 or no later than 2015 if an attainment date extension is approved. The AQD is currently working on Michigan's SIP, due by April 18, 2008.



IMPLEMENTATION OF THE $\text{PM}_{2.5}$ NAAQS: In the [April 25, 2007 FR](#), the Clean Air Fine Particle Implementation Rule (referred to as the [PM_{2.5} implementation rule](#)) was finalized, defining state requirements in the development of their SIPs to address nonattainment areas. Key issues in the $\text{PM}_{2.5}$ implementation rule include:

- Reasonably Available Control Measures (RACM) and Reasonably Available Control Technology (RACT) Determinations – States must demonstrate that it has adopted all RACM and RACT, considering economic and technical feasibility and other factors, that are needed to show that the area will attain the standards as expeditiously as practicable. This rule includes a presumption that for power plants subject to the Clean Air Interstate Rule (CAIR), compliance with CAIR would satisfy these requirements for sulfur dioxide (SO_2) and NO_x (with certain conditions).
- Attainment Demonstrations and Modeling – Includes the required elements of an attainment demonstration, the recommended analytical process to follow to identify the most expeditious attainment date for an area, and air quality modeling guidance.
- Policies on $\text{PM}_{2.5}$ and Precursors – Due to the composition, emission level, and other area-specific factors, this rule establishes policies for evaluating and controlling the five main types of pollutants which contribute to fine particle concentrations: direct $\text{PM}_{2.5}$ emissions, SO_2 , NO_x , ammonia, and VOCs.

This implementation rule does not address new source review (NSR) requirements for the $\text{PM}_{2.5}$ standards, as these requirements will be addressed in a separate rulemaking. In addition, this rule does not specifically address implementation of the new October 2006 $\text{PM}_{2.5}$ 24-hour NAAQS. Additional information on the $\text{PM}_{2.5}$ implementation rule is available at <http://www.epa.gov/air/particles/implement.html>.

IMPLEMENTATION OF NSR REQUIREMENTS IN THE $\text{PM}_{2.5}$ NONATTAINMENT AREAS: The NSR preconstruction permitting program assures that any large new or modified industrial source will be as clean as possible, and that advances in pollution control occur concurrently with industrial expansion. For areas in attainment, NSR assures that new emissions do not significantly worsen the air quality. In nonattainment areas, NSR assures that new emissions do not slow progress toward cleaner air. To date, EPA has not provided rulemaking that addresses NSR requirements in $\text{PM}_{2.5}$ nonattainment areas.

(PM NAAQS UPDATES CONTINUE ON PAGE 6)

IMPLEMENTATION OF NSR REQUIREMENTS IN THE PM_{2.5} NONATTAINMENT AREAS (CONTINUED):

Michigan will continue to address NSR requirements for the seven county Southeast Michigan PM_{2.5} nonattainment area in accordance with an April 5, 2005 EPA memorandum, stating that the PM₁₀ nonattainment major NSR program will be applied to address the requirements of nonattainment major NSR for the PM_{2.5} NAAQS. This means that a source is “major” for PM_{2.5} if it emits or has the potential to emit 100 tons per year (tpy) of PM₁₀. Construction of such a new source in any of Southeast Michigan’s nonattainment counties would require lowest achievable emission rate and offset emissions in a ratio specified in the CAA. Modification of an existing PM₁₀ major source in a nonattainment county is considered significant if such modification results in a net emissions increase of 15 tpy of PM₁₀.

For any major source whose particulate emissions are predominantly coarse (PM_{10-2.5}), assuming that all particulate emissions of this source are PM_{2.5} emissions could inappropriately trigger nonattainment major NSR for PM_{2.5}. Consequently, it is advisable that either proposed or existing major stationary sources identified as potential PM_{2.5} emission sources obtain an accurate emission inventory of PM_{2.5}. Per the April 2005 EPA memorandum, the nonattainment major NSR provisions for PM_{2.5} do not apply to a major source of PM₁₀ located in a nonattainment county if its emission inventory demonstrates that it is not major for PM_{2.5}.

NEW PM_{2.5} 24-HOUR NAAQS: In the [October 17, 2006](#) FR, EPA adopted revisions to the 1997 PM NAAQS effective December 18, 2006. For PM₁₀, the 24-hour standard of 150 micrograms per cubic meter (µg/m³) was retained and the annual standard was revoked. For PM_{2.5}, based on a three-year average, the 24-hour standard was changed from 65 µg/m³ to 35 µg/m³ and the annual standard was retained at 15 µg/m³.

Under the newly revised 24-hour PM_{2.5} standard, Michigan must submit by December 18, 2007 (based on 2004-2006 monitoring data), its recommendations on which areas in the state should be designated as attainment and nonattainment. EPA will notify states by August 2008 of their designation determinations, with an effective date of December 2008. Following final designations, states with nonattainment areas are required to submit SIPs within three years (April 2011) and these areas must show attainment by 2013. Depending on local conditions and the availability of controls, states may request an attainment date extension to 2017. Utilizing 2004-2006 monitoring data, the AQD estimates that seven Michigan counties (Kent, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne) would not attain the new 24-hour PM_{2.5} standard. However, EPA will not make their final designations until 2008 and at that time will use 2005-2007 monitoring data. In addition, emission reductions that will be implemented before state SIPs are due are expected to reduce PM_{2.5} levels. These include SO₂ and NO_x limits on power plants (i.e., CAIR) and regional haze reductions from industrial sources (Clean Air Visibility Rule - CAVR) [DISCUSSED ON PAGE 8]. In addition, cleaner on and off road mobile sources will start to replace older diesel vehicles and make use of ultra-low sulfur diesel fuel (currently used for highway diesel cars and light duty trucks).


As has occurred in AQD’s preparation of the attainment strategy for the PM_{2.5} annual NAAQS, the contribution of local stationary emission sources to 24-hour PM_{2.5} levels will also be evaluated. Based on EPA’s modeling of year 2015 results from the NO_x SIP call and other federally implemented programs (e.g., CAIR, CAVR, etc.), EPA estimates that all Michigan counties, except for Wayne County (also out of compliance for the annual PM_{2.5} standard), will meet the 24-hour PM_{2.5} NAAQS.

For additional information, visit the AQD website at <http://www.michigan.gov/deqair> under “Assessment and Planning,” “Attainment/Nonattainment Information,” then “Particulate Matter.” AQD contact is Mr. Robert Irvine, 517-373-7042, IrvineR@Michigan.gov. Information about the PM standards can be found at <http://epa.gov/pm/naagsrev2006.html> and <http://epa.gov/pm/>.

UPDATE ON THE AMBIENT AIR MONITORING PROGRAM

As described in the [January 2007 About the Air newsletter](#), the EPA issued final amendments to the ambient air monitoring requirements for criteria pollutants effective December 18, 2006. The amendments are intended to enhance ambient air quality monitoring, better serving current and future air quality management and research needs. These amendments also revise certain provisions regarding monitoring network descriptions and periodic assessments, quality assurance, and data certifications.

States are required to develop an air monitoring network review which interprets past air monitoring data using federal regulations to determine which air pollutants will be measured at what site locations during the upcoming year and beyond. One of the new requirements for the network review is that it must document the process for obtaining public comments and will need to include any comments received through the public notification process. On July 18, 2007, the AQD provided a 30-day public comment period on the draft Michigan Annual Ambient Air Monitoring Network Review (Michigan Network Review). The Michigan Network Review provides a description of the state's monitoring network in operation during 2006-2007 and recommends changes for 2008 based on monitor history, population distribution, and modifications to federal monitoring requirements, contingent upon adequate levels of funding.

As stated in the Michigan Network Review, loss of federal Section 105 State Aid Grant funds in April 2007 resulted in cuts to the monitoring network. Although Congress restored these funds, EPA distributed the funds to other programs rather than return them to the air programs. Due to the current status of Michigan's budget, these federal funding cuts could not be absorbed by the MDEQ and some monitoring was discontinued [SEE THE [MARCH/APRIL 2007 ABOUT THE AIR NEWSLETTER](#)]. The final [Michigan Annual Ambient Air Monitoring Network Review](#), which has been submitted to EPA, summarizes the impact of those cuts and includes comments received during the public comment period. It can be viewed in its entirety at <http://www.deq.state.mi.us/documents/deq-aqd-air-age-Monitoring-Network-Review-final-9-6-07.pdf>. Information on Michigan's air quality can be found on the AQD's website at <http://www.michigan.gov/degair> under the heading "Air Monitoring," and real-time air monitoring information is found at  **MIair**

AQD RECEIVES AIR TOXICS MONITORING GRANT

In January 2007, EPA announced the availability of approximately \$10,000,000 for projects designed to assist state and local communities in identifying and profiling air toxics sources, developing and assessing emerging measurement methods, characterizing the degree and extent of local air toxics problems, and tracking progress of air toxics reduction activities. In general, air toxics are categorized as metals, organic substances (e.g., VOCs), and other substances. Recently, the AQD was notified that their proposal, *Analysis of Air Toxics Data: Quality Assurance Implications, Source Apportionment Uncertainty Analysis and Updated Risk Assessment*, was chosen to receive \$250,000 from the competitive [Community Scale Air Toxics Monitoring Grants](#), to support a data analysis project that will examine air toxics measurements collected in Southeast Michigan from 2003 to 2007.

Measurements of air toxics in ambient air have been investigated in the Detroit area for several years. These include the Detroit Pilot Project where air toxics were measured at eight stations around Southeast Michigan from 2001-2002, the Detroit Air Toxics Initiative (DATI), a risk assessment and risk reduction project based on the 2001-2002 air toxics monitoring data, and the AQD's continued participation in the National Air Toxics Trend Site (NATTS) program set up in Dearborn. Monitoring projects beginning in 2003, conducted by AQD and LADCO (Lake Michigan Air Directors Consortium), have enhanced the toxics data. In addition, to supplement the LADCO studies and help formulate attainment strategies for the Detroit PM_{2.5} nonattainment area, Sonoma Technology Inc. (STI) has performed modeling to identify sources.

(AIR TOXICS MONITORING GRANT CONTINUES ON PAGE 8)

AQD RECEIVES AIR TOXICS MONITORING GRANT (CONTINUED):

From 2004 to 2007, EPA conducted the Detroit Exposure Aerosol Research Project (DEARS) where air toxics were measured inside and outside of volunteer homes, to better understand the relationship of data collected at an ambient monitoring station to what people are actually exposed to. A variety of spin-off projects were conducted concurrently with DEARS that included the Detroit Children's Health Study (which investigated the health of 4th and 5th graders) and the Detroit Cardiovascular Health Study (which made physiological measurements of DEARS study participants).

Currently, the AQD is involved in a Detroit community monitoring project that is nearing completion and LADCO has begun two new intensive studies in the Detroit air shed. As a recipient of the Community Scale Air Toxics Monitoring Grant, the AQD and its research partners, STI, University of Chicago, and LADCO will perform the following tasks:

1. A comprehensive quality assured data base will be created to support the subsequent data analysis projects. Inter-laboratory data comparability will be assessed and minimum detection levels will be investigated.
2. Spatial and temporal trends will be characterized and compared with those described in the [DATI](#) report.
3. Temporal changes will be evaluated and compared to alterations in source emission profiles.
4. An analysis of risk will be repeated and compared with the 2001 to 2002 historical results contained in the DATI report.
5. The unique data set generated in Southeast Michigan will be used to characterize both the temporal and spatial uncertainty in source apportionment activities. Speciated organic carbon measurements collected during the summer 2006 and 2007 will be compared.

In addition, STI will train AQD staff on the use of source apportionment models to build in house capacity for this analysis. This ability will aid staff in identification of sources contributing to complex mixtures of contaminants in airsheds across the state.

The results from this project will be communicated in presentations and journal article publications. Notification of these publications will be provided in future About the Air newsletters. For a complete copy of the EPA grant, visit their website at <http://www.epa.gov/air/grants/07-01.pdf>.


CLEAN AIR VISIBILITY RULE

Particulate matter is the major source of haze that reduces visibility. The CAA Amendments of 1977 require the prevention of any future, and the remedying of any existing, impairment of visibility in [156 national parks and wilderness areas](#) (Class I areas) where the impairment results from man-made air pollution. Some haze-causing pollutants (mostly PM_{2.5}) are directly emitted to the atmosphere from coal-fired electric generating units (EGUs), various industrial and manufacturing processes, vehicle emissions, etc. Other particles are indirectly

formed when gases from burning fuels react with sunlight and water vapor (i.e., sulfate formed from SO₂, and nitrates formed from NO_x). Emissions from these types of activities generally span broad geographic areas and can be transported great distances, sometimes hundreds or thousands of miles. Consequently, haze occurs throughout the nation.

(CLEAN AIR VISIBILITY RULE CONTINUES ON PAGE 9)

In 1999, the EPA issued the Regional Haze Rule calling for improved visibility in these Class I areas. This includes the Isle Royale National Park and Seney Wilderness Area (shown at right) in Michigan's Upper Peninsula. The Regional Haze Rule, now referred as the Clean Air Visibility Rule (CAVR), require emission controls for industrial facilities emitting air pollutants that reduce visibility (i.e., PM, NO_x, SO₂, VOCs, etc.). States must develop and implement plans that must include best available retrofit technology (BART) controls for affected facilities, as well as any additional controls that are deemed necessary to meet reasonable further progress (RFP) for attaining natural background conditions. Subsequently, the AQD has proposed rule amendments to provide the regulatory basis and methodology that affected sources follow to comply with BART [SEE [2007-026EQ](#) ON PAGE 11). BART emission limitations are determined utilizing three steps:



1. Identify those sources which meet the definition of a BART-eligible source.
2. Determine whether such sources emit any air pollutant which may reasonably be anticipated to cause or contribute to any impairment of visibility (in a Class I area). If a source fits this description, it is then subject to BART.
3. For each BART-subject source, identify the appropriate type and the level of control for reducing emissions.

The AQD is currently consulting with Minnesota, Wisconsin, and other upwind states to decide what level of control is appropriate to address RFP for Michigan Class I areas. Michigan has also been consulting with the Northeast states' regional haze planning organization, [MANE-VU](#), which believes that additional SO₂ reductions in Michigan and other Midwest states will help reduce the visibility impacts on some of their CAVR Class I areas. The consultation process is a CAVR requirement for development of RFP goals and measures to meet these goals.

EGUs are clearly large sources of SO₂ and NO_x emissions. In 2005, the CAIR was issued requiring reductions in emissions of SO₂ and NO_x in 28 eastern States and the District of Columbia through a cap and trade program for EGUs that states may choose as a means to meet these requirements. The AQD has been working on several proposed rule packages that would reduce transported emissions of NO_x and SO₂ from EGUs [SEE PROPOSED RULES [2005-036EQ](#), [2005-037EQ](#), AND [2007-038EQ](#) ON PAGES 10 AND 11]. Under CAVR, states participating in the CAIR cap and trade program for SO₂ and NO_x have the option of treating the CAIR requirements for EGUs as a substitute for the application of BART controls for these pollutants.

However, since CAIR is a trading rule, it may not obtain reductions in the locations where they are most needed. In an effort to identify the emission source categories most impacting Minnesota and Michigan CAVR Class I areas, as well as the costs to reduce emissions, LADCO and Minnesota funded a technical report called "*Reasonable Progress for Class I areas in the Northern Midwest – Factor Analysis*." The results of this study indicate that "beyond CAIR" EGU control on a multi-state basis showed a larger impact than any other source category.

Achieving and maintaining compliance with new health-based standards for PM_{2.5} [SEE PAGE 6], proposed revisions to the 8-hour ozone NAAQS (DISCUSSED ON PAGE 4), and the Clean Air Mercury Rule (CAMR) will likely also require reductions of those pollutants that cause regional haze [INFORMATION ON CAMR CAN BE FOUND IN THE [JANUARY 2007 ABOUT THE AIR NEWSLETTER](#)].

(CLEAN AIR VISIBILITY RULE CONTINUES ON PAGE 10)

Michigan's Visibility SIP is due in December 2007 for the Seney Wilderness Area and Isle Royale National Park and must also address Michigan's visibility impacts on Class I areas in other states. A [public comment period](#) has been announced through **November 29, 2007** and the draft [SIP for Regional Haze](#) document along with its [Appendix](#) is available for review. Written comments should be sent to the MDEQ, AQD, P.O. Box 30260, Lansing, Michigan 48909, to the attention of Ms. Mary Ann Halbeisen. If a hearing is requested during the public comment period, it will be held **December 4, 2007**.

For information and updates on Michigan's regional haze program, visit the AQD's website at <http://www.michigan.gov/degair>, under "Assessment and Planning," "State Implementation Plan," then "Regional Haze Information." A link to the live air pollution [Midwest Hazecam](#) is also available which provides near real-time air quality data (instantaneous) and meteorological data (hourly average) from scenic urban and rural conditions in the Upper Midwest. The Midwest Hazecam pictures and data, updated every 15 minutes, helps to distinguish natural from man-made causes of poor visibility and provides current air pollution levels to the public. AQD contacts are Ms. Cynthia Hodges, 517-335-1059, hodgesc@michigan.gov or Mr. Robert Irvine, 517-373-7042, irvinerl@michigan.gov.

UPDATES ON MICHIGAN'S PROPOSED AIR POLLUTION CONTROL RULES

All existing and the following proposed Air Pollution Control Rules pursuant to Part 55 of the Natural Resources and Environmental Protection Act (NREPA), 1994 Public Act 451, as amended, are available at <http://www.michigan.gov/degair>, "Laws and Rules" or by contacting Ms. Mary Ann Halbeisen, AQD, MDEQ, PO Box 30260, Lansing, MI 48909-7760; 517-373-7045; e-mail halbeism@michigan.gov.

NSR Permit Program: A public hearing was held on December 20, 2006, on the following proposed Part 19, NSR for Major Sources Impacting Nonattainment Areas; Part 1, General Provisions; and Part 2, Air Use Approval. On July 19, 2007, a second public hearing was held for Part 19. The Agency Report with response to comments is being prepared and will be submitted to the State Office of Administrative Hearings and Rules (SOAHR) and the Joint Committee on Administrative Rules (JCAR) in the near future. AQD contact is Mr. Jeffrey Rathbun, 517-241-8072, rathbuja@michigan.gov.

2004-006EQ:

Part 1, General Provisions, R 336.1102 to R 336.1105, R 336.1109, R 336.1112 to R 336.1114 and R 336.1122. Proposed amendments will modify definitions used in the NSR and Prevention of Significant Deterioration (PSD) permitting rules. The definition for VOC is also being revised to delist five compounds that EPA has determined negligibly photochemical reactive.

2004-007EQ:

Part 2, Air Use Approval, R 336.1201, R 336.1202, R 336.1205, R 336.1207, R 336.1211, R 336.1213, R 336.1214, R 336.1214a, R 336.1219, R 336.1220, R 336.1240, R 336.1241, R 336.1277, R 336.1278, R 336.1281, R 336.1284, R 336.1285, R 336.1288, and R 336.1299. Proposed amendments will rescind R 336.1220 and modify NSR permitting rules to reflect Michigan's new permitting authority. In addition, a new exemption was added that allows for routine and emergency venting of natural gas from transmission and distribution systems or field gas from gathering lines.

2004-054EQ:

Part 19, NSR for Major Sources impacting Nonattainment Areas, R 336.2901 to R 336.2903, R 336.2907, R 336.2908, and R 336.2910. Proposed new rules are for the NSR permitting program for major sources impacting nonattainment areas.

2005-036EQ: On June 6, 2005, a Request for Rulemaking (RFR) was approved for the addition of R 336.1420 in Part 4 to reduce transported emission of SO₂ from EGUs. On May 1, 2006, the RFR was revised to include the revision of R 336.1401, R 336.1402, and R 336.1404, and the addition of R 336.1401a and R 336.1405 to R 336.1407 for the Wayne County SO₂ rules. A public hearing was held on July 19, 2007. The Agency Report and revised rules were submitted to SOAHR on October 18, 2007. AQD contacts are Mr. Steve Kish, 517-335-4794, kish@michigan.gov, and Ms. Teresa Walker, 517-335-2247, walkertr@michigan.gov.

(MICHIGAN'S PROPOSED RULE UPDATES CONTINUE ON PAGE 11)

UPDATES ON MICHIGAN'S PROPOSED AIR POLLUTION CONTROL RULES (CONTINUED)

2005-037EQ: On June 6, 2005, an RFR was approved for amendments to Part 8 to reduce transported emission of NO_x from EGUs. The proposed rule package revises R 336.1803 and adds R 336.1802a, R 336.1821 to R 336.1826, and R 336.1830 to R 336.1834. A public hearing was held on April 2, 2007. The rules were filed with the Secretary of State on June 25, 2007, and were effective immediately. AQD contact is Ms. Teresa Walker, 517-335-2247, walkertr@michigan.gov.

2005-038EQ: On June 6, 2005, and July 3, 2006, an RFR was approved to add Part 15, R 336.2501 to R 336.2516 to reduce emissions of mercury from EGUs. The next stakeholder workgroup meeting is November 1, 2007. AQD contact is Ms. Julie Brunner, 373-7088, brunnejl@michigan.gov.

2006-043EQ: On May 30, 2006, SOAHR approved an RFR to add R 336.1640 to Part 6 to limit VOC emissions at a cement manufacturing facility. Public hearings were held on September 5 and September 27, 2007, and AQD staff is preparing a response to the comments received. AQD contact is Mr. Asad Khan, 517-335-6825, khana@michigan.gov.

2007-005EQ: On January 31, 2007, an RFR was approved for rescinding Part 12, Emission Averaging and Emission Reduction Credit Trading, R 336.2201 to R 336.2218. A public hearing was held on July 19, 2007. The proposed rescission was submitted to JCAR on October 1, 2007. AQD contact is Ms. Teresa Walker, 517-335-2247, walkertr@michigan.gov.

2007-006EQ: On January 31, 2007, an RFR was approved for amendments to the consumer products rules, R 336.1660 and R 336.1661, to further reduce VOC emissions by including more products. On July 19, 2007 a public hearing was held and the Agency Report was submitted to SOAHR on August 8, 2007. On October 3, 2007, the amendments were filed with the Secretary of State and became effective immediately [SEE ARTICLE ON PAGE 12]. The amendments to the consumer product rules adopt by reference the amended Ozone Transport Commission Model Rule that was published September 13, 2006. AQD contact is Mr. Asad Khan, 517-335-6825, khana@michigan.gov.

2007-017EQ: On April 13, 2007, an RFR was approved for amendments to R 336.2801 in Part 18, PSD. The EPA has identified a deficiency in the AQD's Part 18 rules. One of the definitions was unintentionally omitted and another definition needs to be clarified because the interpretation of the definition as it is currently written does not follow the intent of the definition when the rules were developed. AQD contact is Mr. Jeffrey Rathbun, 517-241-8072, rathbuja@michigan.gov.

2007-026EQ: On June 20, 2007, an RFR was approved for amendments to Part 9, Emission Limitation and Prohibitions--Miscellaneous. The proposed amendments will revise R 336.1941 and R 336.1942 and add R 336.1943 to R 336.1947 to adopt by reference the most recent federal maximum available control technology standards. The amendments will also add R 336.1970 to R 336.1980 to provide the regulatory basis and methodology that affected sources must follow to comply with BART per the federal clean air visibility rules [SEE ON PAGE 8]. BART is part of the federal regional haze program for reducing haze-causing emissions in Class I areas. AQD staff contact is Ms. Teresa Walker, 517-335-2247, walkertr@michigan.gov.

2007-038EQ: On August 6, 2007, an RFR was approved for amendments to R 336.1803, R 336.1822, R 336.1823, and R 336.1830 in Part 8, Emission Limitations and Prohibitions--NO_x. The proposed revisions will address deficiencies identified by EPA in Michigan's CAIR to reduce NO_x from EGUs. AQD contact is Ms. Teresa Walker, 517-335-2247, walkertr@michigan.gov.



MICHIGAN'S CONSUMER PRODUCT RULES

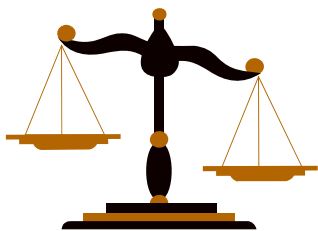
The release of smog-causing VOCs lead to the formation of ground level ozone that triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to respiratory illnesses like pneumonia and bronchitis, and also causes damage to some crops. Some consumer products used in many Michigan households and institutions, ranging from deodorants to aerosol paints, are formulated with VOCs, or might contain fragrances, color additives, blowing agents, or propellants that contain VOCs. The Michigan Consumer Product Rules (CPR), [R 336.1660 and R 336.1661](#) of the Michigan Air Pollution Control Rules ([2007-006EQ](#)), prohibits the distribution, sale or offering for sale of consumer products manufactured on or after January 29, 2007, within the state of Michigan, whose VOC content exceeds specific thresholds identified in the rules. The reduction of VOCs in those consumer products exceeding the specified threshold will be done through product reformulation. The rules were developed in cooperation with manufacturers, who have already complied with similar rules in other states. The Michigan CPR, a primary component of the MDEQ strategy for attaining the ozone standard in Southeast Michigan, is expected to reduce total VOC emissions by over 5,900 tons per year, which will help Michigan achieve and maintain attainment status for the 8-hour ozone NAAQS. In the [October 26, 2007 FR](#), EPA announced its approval to revise the Michigan SIP with the addition of the CPR rules [**SEE EPA'S FINAL RULES ON PAGE 20**].



The Michigan CPR adopts by reference (with a few exceptions) the Ozone Transport Commission (OTC) March 6, 2001 [Model Rule for Consumers Products](#) (OTC Rule). The OTC is a multi-state organization created under the CAA that is responsible for advising the EPA on transport issues and for developing and implementing regional solutions to the ground-level ozone problem in the Northeast and Mid-Atlantic regions of the United States. The OTC Rule applies to the manufacturers of consumer products and to the distributors, suppliers, and retailers of consumer products. A consumer product is defined as a chemically formulated product used by households and institutions including, but not limited to, detergents, cleaning compounds, polishes, floor finishes, cosmetics, personal care products, home, lawn and garden products, disinfectants, sanitizers, aerosol paints, and automotive specialty products (this is not an exhaustive list). The consumer or end-user of a consumer product is not subject to the requirements of these rules as long as they do not repackage and/or re-sell the product.

In the Michigan CPR, each manufacturer of a consumer product subject to the rule shall clearly display on each consumer product container or package, the day, month, and year on which the product was manufactured, or a code indicating such date. Any noncompliant consumer products that were manufactured before January 29, 2007, may continue to be supplied, offered for sale and sold in Michigan. If the consumer product is manufactured in Michigan but is shipped out of the state for sale, then it is not regulated under the Michigan CPR. However, other states have similar regulations as defined in Section 2 of the OTC Rule regarding manufacturer, distributor, and retailer.

On October 13, 2007, an amendment to the [Michigan CPR](#) was filed with the Secretary of State that adopts the OTC's updated September 13, 2006, [Model Rule for Consumer Products](#). The amended Michigan CPR reduces VOC content from additional consumer and commercial products manufactured, sold, or used in the state of Michigan. Additional information, along with a *Frequently Asked Questions* document and the current OTC Rule is available on the AQD's website at <http://www.michigan.gov/deqair>, under "Laws and Rules" then "Consumer Product Rule." For technical questions concerning the applicability of certain consumer products, the AQD contact is Mr. Asad Khan, 517-335-6825, khana@michigan.gov. For general questions concerning the Michigan CPR, contact the Clean Air Assistance Program, 1-800-662-9278, DEQ-EAD-Env-Assist@michigan.gov.



AQD PERMIT DECISIONS FOR THE MONTHS OF MARCH THROUGH OCTOBER 2007

Permit related information, including a list of NSR applications currently open for public comment, along with a query for information on pending NSR applications can be found on the AQD's Air Permit System website at <http://www.deq.state.mi.us/aps/>. Public hearings are tentatively scheduled for each application but are only held if requested, which will be noted in the following permit decisions.

ASAMA COLDWATER MANUFACTURING, INC., COLDWATER: Permit No. 280-06A was approved by Ms. Lynn Fiedler on October 15, 2007, for the proposed new expansion foundry located at 180 Asama Parkway.

BREWER'S CITY DOCK, HOLLAND: Permit No. 28-07 was approved by Mr. Dennis A. Armbruster on May 10, 2007, for the facility located at 24 Pine Avenue. This permit is for a non-metallic mineral crushing system equipped with water spray dust control for processing recycled concrete and asphalt, gravel, and limestone, and an existing slag storage and handling operation equipped with water spray dust control.

CADENCE INNOVATION, LLC, GRAND BLANC: Permit No. 358-06 was approved by Mr. William A. Presson on June 14, 2007, to opt-out of the Renewable Operating Permit (ROP) Program for the facility located at 10230 North Holly Road.

DELPHI AUTOMOTIVE SYSTEMS, LLC - ADRIAN OPERATIONS, ADRIAN: Permit No. 135-07 was approved by Mr. Presson on June 26, 2007, for modifications to an existing plastic auto parts coating line for the facility located at 1450 Beecher Street.

DETROIT THERMAL, LLC - BEACON HEATING PLANT, DETROIT: Permit No. 63-05A was approved by Mr. G. Vinson Hellwig on August 1, 2007, for the proposal to use specification oil in Boiler No. 4 at the 541 Madison Avenue facility.

DOW CORNING CORP. - MIDLAND PLANT, MIDLAND: Permit No. 91-07 was approved by Mr. Presson on July 11, 2007, for the consolidation of various atmospheric vents and the subsequent destruction and removal of hazardous air pollutants (HAPs) from those vents via thermal oxidation at the 3901 South Saginaw Road facility.

DTE ENERGY, ST. CLAIR: Permit No. 165-07 was approved by Mr. Presson on September 5, 2007, for modification of the existing two large compressor engines to include low emission combustion technology to reduce NO_x emissions at the 5440 Puttygut Road facility.

E-85, INC., CORUNNA: Permit No. 62-07 was approved by Mr. Hellwig on June 21, 2007, for a 115.8 million gallon-per-year dry mill, denatured ethanol plant located at Parmenter and Escott Roads. The decision was made after public input during the comment period, and during the public hearing held on May 16, 2007.

GAGE PRODUCTS CO., FERNDALE: Permit No. 340-06 was approved by Mr. Hellwig on July 27, 2007, for the proposal to use liquid fuels in two existing gas fired boilers at the 821 Wanda Avenue facility.

LIBERTY RENEWABLE FUELS, LLC, GRATIOT COUNTY: Permit No. 241-06 was approved by Mr. Armbruster on March 5, 2007, for a dry mill ethanol plant facility located in Section 5 of Northstar Township. The decision was made after public input during the comment period, and during the public hearing held on January 29, 2007.

(AQD PERMIT DECISIONS CONTINUE ON PAGE 14)

AQD PERMIT DECISIONS (CONTINUED):

MARYSVILLE ETHANOL, LLC, MARYSVILLE: Permit No. 175-05B was approved by Mr. Hellwig on July 12, 2007, for a 110 million gallon-per-year dry mill, denatured ethanol plant located at 2510 Busha Highway. The decision was made after public input during the comment period, and during the public hearing held on May 23, 2007.

MEIDEN TECHNICAL CENTER NORTH AMERICA, LLC, NORTHVILLE TOWNSHIP: Permit No. 173-07 was approved by Mr. Hellwig on August 28, 2007, for an engine testing facility located at 15810 Centennial Drive.

MICHIGAN PAVING & MATERIALS COMPANY - WOODLAND PAVING DIVISION, COMSTOCK PARK: Permit No. 990-90B was approved by Mr. Hellwig on August 3, 2007, for a hot mix asphalt facility located at 3566 Millcreek Avenue NW.

MIDLAND COGENERATION VENTURE LIMITED PARTNERSHIP, MIDLAND: Permit No. 316-05B was approved by Mr. Presson on July 2, 2007, to modify the existing permit to add a separate NO_x emission limit during periods of startup and shutdown of each turbine at the 100 Progress Place facility.

M-LOK, INC./REILLY PLATING CO., MELVINDALE: Permit No. 195-07 was approved by Mr. Presson on August 21, 2007, for federally enforceable permit limits on HAP emissions below major source thresholds at the 17760 Clarann facility.

REDMAN ENTERPRISE, INC., BOYNE CITY: Permit No. 53-07 was approved by Mr. Hellwig on April 12, 2007, for an enclosed tub grinder at the 00890 Pleasant Valley facility. The decision was made after public input during the comment period and during the public hearing held on April 9, 2007.

ROUSH MANUFACTURING, INC., LIVONIA: Permit No. 74-06A was approved by Mr. Hellwig on July 13, 2007, for the facility located at 12068 Market Street. The permit is to increase emission limits for the existing plastic parts spray coating line equipped with water wash overspray control and a regenerative thermal oxidizer control.

SEVERSTAL NORTH AMERICA, INC., DEARBORN: Permit No. 182-05B was approved by Mr. Hellwig on April 19, 2007, for the steel-making operations located at 3001 Miller Road. The AQD received four documents identifying 47 comments during the comment period that were reviewed and analyzed prior to a decision being made.


AQD ENFORCEMENT ACTIONS

AIRCRAFT PRECISION PRODUCTS, INC. (APPI), ITHACA, located at 185 Industrial Parkway, makes components of jet engines for both military and domestic use. On December 18, 2006, the AQD and APPI agreed to a consent order to resolve violations of the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for Halogenated Solvent Cleaning. Specifically, the company failed to comply with various recordkeeping, monitoring and testing requirements and failed to determine which control combination option it was using to demonstrate compliance. Under the terms of the consent order, APPI is required to fully decommission their existing vapor degreaser and pay \$15,000 and stipulated penalties up to \$10,000 per violation for any future noncompliance of the consent order. The company has since replaced the Halogenated Solvent vapor degreaser with an ultrasonic cleaning system.

(AQD ENFORCEMENT ACTIONS CONTINUES ON PAGE 15)

AQD ENFORCEMENT ACTIONS (CONTINUED):

CHEMCENTRAL CORP., ROMULUS, is a chemical blending, repackaging, and distribution facility located at 13395 Huron River Drive. On February 23, 2007, the AQD and Chemcentral agreed to a consent order to resolve violations of Part 55 of the NREPA, Rule 210, and Permit to Install (PTIs) Nos. 160-97 and 57-03. Specifically, the company failed to apply for and obtain an ROP and failed to maintain usage, throughput and production records. The company submitted an application and was issued PTI No. 118-06 on July 10, 2006, allowing them to "opt-out" of the Title V program. Under the terms of the consent order, Chemcentral will comply with all emission limits in PTI No. 118-06, submit all emission records to the AQD district office on a quarterly basis, and pay \$62,720 and stipulated penalties up to \$10,000 per violation per day for any future noncompliance of the consent order.

FRANKLIN METAL TRADING CO., LAKE ODESSA, located at 609 Tupper Lake Street, is a metal processing operation with an aluminum sweat furnace which sorts and bails the recycled metal for resale. On December 7, 2006, the AQD and Franklin Metal Trading agreed to a consent order to resolve violations of Part 55 of the NREPA, PTI No. 447-89, and the NESHAP for Secondary Aluminum Production, Part 63. Specifically, the company failed to maintain the correct temperature in the afterburner controlling the hearth and holding chambers of the furnace, failed to submit semiannual Excess Emission Reports, and substituted the type of flux and quantity of flux used in the sweat furnace. Under the terms of the consent order, Franklin Metal is required to fully comply with the NESHAP, their PTI, and malfunction abatement plan; submit all reports and certifications as required; perform a supplemental environmental project valued at \$40,000, to reduce fugitive dust emissions in the vicinity of the main traffic area where scrap metal is currently unloaded and initially staged for processing; and pay \$16,000 and stipulated penalties up to \$2,000 per day for any future noncompliance of the consent order.

LEGEND MOTORS WORLDWIDE, LAWTON OPERATIONS, LAWTON, located at 715 North Main Street, produces custom street rods. On December 18, 2006, the AQD and Lawton Operations agreed to a consent order to resolve violations of Part 55 of the NREPA and PTI No. 748-90A. Specifically, Downs Manufacturing (the company's predecessor) and Lawton Operations exceeded the hourly, monthly, and yearly acetone and styrene emission limitations, and the hourly and monthly gel coat usage rates as specified; failed to keep monthly records of resin and gel coat usage, VOC content, and styrene content; failed to calculate emission rates of styrene, VOC's, and acetone; failed to keep daily records showing the hours of operation; and continued operation while in violation of the hourly and yearly acetone emission limitation specified after the acquisition of Downs Manufacturing. Under the terms of consent order, Lawton Operations agreed to fully comply with the emission limitations, material usage limitations and recordkeeping provisions specified, and pay \$43,904 and stipulated penalties up to \$3,000 per violation per day for any future noncompliance of the consent order.

LOUISIANA PACIFIC CORP., SAGOLA operates an oriented strand board mill located at N8504 Highway M-95. On April 24, 2007, the AQD and Louisiana Pacific agreed to a consent order to resolve violations of Part 55 of the NREPA, ROP #1999600018, and PTIs 41-03A and 41-03C. Specifically, Louisiana Pacific exceeded the emission limits specified for formaldehyde, carbon monoxide (CO), PM₁₀, NO_x and VOC. Under the terms of the consent order, Louisiana Pacific has agreed to an Inspection and Maintenance Program for all air cleaning devices associated with the press emission unit; to operate the regenerative catalytic oxidizer at the required temperature; to conduct NO_x emission monitoring and testing of the press emission unit; to comply with particulate, CO, NO_x, VOC, and formaldehyde emission limitations as specified in PTI 41-03D; and to pay \$45,000 and stipulated penalties up to \$3,000 per day for any future noncompliance of the consent order.

(AQD ENFORCEMENT ACTIONS CONTINUES ON PAGE 16)

NATIONAL STANDARD COMPANY, NILES, located at 1631 Lake Street, operates an industrial process that sizes carbon and stainless steel cable from vendors to diameters requested by their customers. On February 6, 2007, the AQD and National Standard agreed to a consent order to resolve violations of Part 55 of the NREPA, Rules 201, 290, 707 and 911, and PTI No. 174-97B. Specifically, the company installed and operated process equipment without first obtaining an air use permit; failed to keep adequate records for air use permit exemption; failed to keep a lid closed on a Cold Cleaner; failed to comply with a malfunction abatement plan; failed to keep adequate records on HAPs, VOCs, and type boiler fuel usage; and failed to maintain monitoring equipment on a scrubber. Under the terms of consent order, National Standard has agreed to comply with recordkeeping provisions for exemption, to equip and maintain a water flow meter on the control equipment, to comply with their malfunction abatement plan and operating procedures for the cold cleaner, and pay \$28,000 and stipulated penalties up to \$3,000 per violation per day for any future noncompliance of the consent order.

NORTHSTAR CRUSHING AND SCREENING, INC., GLADSTONE, located at 8541 N. Point 3 Lane, operates a portable non-metallic mineral processing plant throughout the Upper Peninsula of Michigan which includes a primary jaw crusher, a screening deck, a secondary cone crusher, and various belt conveyors. On April 20, 2007, the AQD and Northstar agreed to a consent order to resolve violations of the federal New Source Performance Standards (NSPS), Part 55 of the NREPA, and Rule 201. Specifically, the company failed to submit an initial notification of operation, failed to conduct performance testing, installed and operated a non-metallic mineral processing plant without obtaining an air use permit, and failed to pay annual air quality fees. Under the terms of the consent order, Northstar has agreed to fully comply with PTI No. 32-07, to submit an initial start-up notification within 15 days after it begins operating, to conduct stack testing, and to pay \$1,000 and stipulated penalties up to \$10,000 per violation per day for any future noncompliance of the consent order.

ORCHARD VIEW SCHOOL, BOARD OF EDUCATION, MUSKEGON; GRANGER CONSTRUCTION Co.; CLIFFORD BUCK CONSTRUCTION Co.: Orchard View High School, undergoing renovation, is located at 2310 Marquette Avenue and Clifford Buck Construction, supervised by Granger Construction Co., conducted removal activities at the school. The owner and operators of a demolition or renovation activity are responsible for complying with all requirements and regulations of the federal Asbestos NESHAP. On April 23, 2007, the AQD and the respondents agreed to a consent order to resolve violations of the federal Asbestos NESHAP and Rule 942. Specifically, Clifford Buck Construction failed to provide written notice to the AQD of its intention to demolish or renovate prior to commencing removal activities at Orchard View School, failed to adequately wet the Regulated Asbestos Containing Material (RACM) during removal, failed to keep the RACM wet after the removal, failed to seal the RACM in leak tight containers while wet, and failed to have a properly trained supervisor on site during the removal. Under the terms of their respective consent orders, the companies/school must fully comply with the Asbestos NESHAP and Rule 942 which includes adequately wetting RACM during demolition/renovation activities, assuring that there are no visible emissions, to provide the required notification accurately describing the work practices and engineering controls to be used, and pay \$25,984 (apportioned to all the respondents) and stipulated penalties of \$2,000 per violation per day for noncompliance of the respective consent orders.

PAMAR ENTERPRISES, INC., NEW HAVEN, located at 58021 Gratiot Avenue, operates a non-metallic mineral plant, at various locations throughout Michigan, which consist of a crusher, several feeders, screens, and conveyors that crush old concrete and stone used for road building materials. At the time of the violation, Pamar Enterprises was operating near Carkenord Elementary School in Chesterfield Township. On October 18, 2006, the AQD and Pamar Enterprises agreed to a consent order to resolve violations of the federal NSPS, Part 55 of the NREPA, and Rule 201. Specifically, the company failed to submit an initial notification of operation, failed to conduct performance testing, failed to keep records and reports, failed to obtain an air use permit, and failed to pay annual air quality fees. Under the terms of consent order, Pamar Enterprises has agreed to fully comply with all air use permits issued for the non-metallic mineral processing plant, to control fugitive dust in compliance with their fugitive dust plan, and pay \$51,590 and stipulated penalties up to \$10,000 per violation per day for any future noncompliance of the consent order.

MDEQ'S ENVIRONMENTAL ASSISTANCE PROGRAM

The Environmental Assistance Program (EAP), housed under the MDEQ's Environmental Science and Services Division (ESSD), is the one-stop shop for all of Michigan's environmental regulatory compliance needs. Comprised of the Environmental Assistance Center (EAC), Clean Air Assistance Program and the Compliance Assistance and Education & Outreach Units, the EAP utilizes a great deal of support and assistance from staff of the major MDEQ environmental programs. This support provides EAP with the necessary skills to help Michigan businesses, industries, local units of government, and the general public on a wide array of environmental programs and regulations.

As an integral part of the EAP, the [EAC](#) serves as a single point of entry into all of the MDEQ environmental programs. The knowledgeable EAC operators can easily determine the best point of contact and provide assistance on a wide array of environmental topics including, but not limited to:

- **FREE CONSULTATIONS:** Professionals from the air, land, remediation, waste, and water programs are ready to answer your questions on state and federal environmental regulations. Just ask the EAC operator to direct you to an EAP staff.
- **PERMIT COORDINATION:** Determining what environmental permits are needed for a particular project can be an overwhelming task. To assist, the *Permit Information Checklist* and *Frequently Asked Questions* document is available at <http://www.michigan.gov/deq> by clicking on the gray "Permits" bar at the top of the web page.
- **PUBLICATIONS:** Need help understanding environmental regulations? View the EAC's library of easy-to-read fact sheets, guidebooks, and brochures at <http://www.deq.state.mi.us/pubcenter>.
- **HANDS-ON TRAINING:** Training events are offered by experts on a variety of environmental programs. To find "Upcoming DEQ Workshops," along with registration and schedule information, visit <http://www.michigan.gov/deqworkshops>.
- **SPEAKERS BUREAU:** Trying to find a speaker knowledgeable on a particular environmental issue for an organization's future event? Just fill out the form and submit an online request at <http://www.deq.state.mi.us/eforms/speakerrequest.html>.

So whether contact is made by phone, 800-662-9278, or through e-mail, deq-ead-env-assist@michigan.gov, the EAC can provide business, industry, local units of government, and the general public direct one-on-one assistance or referral to a network of technical staff within the MDEQ.

Details on the EAP's compliance assistance services, along with their major accomplishments for the fiscal year 2006, are discussed in the "*Environmental Assistance Program 2006 Annual Report*" featured on their website at www.michigan.gov/deqenvassistance.

EAP
ENVIRONMENTAL
ASSISTANCE
PROGRAM
DEQ

ENVIRONMENTAL SCIENCE AND SERVICES DIVISION
MICHIGAN DEPARTMENT OF ENVIRONMENTAL
QUALITY

Jennifer M. Granholm, Governor
Steven E. Chester, Director

Our goal is to provide Michigan businesses,
municipalities, institutions, and the public
with timely and effective
environmental compliance assistance.

Michigan Department of Environmental Quality
ENVIRONMENTAL ASSISTANCE CENTER
800-662-9278
DEQ Internet: www.michigan.gov/deq
Email: deq-ead-env-assist@michigan.gov
FOR POLLUTION EMERGENCIES CALL:
POLLUTION EMERGENCY ALERTING SYSTEM
(PEAS) 800-292-4706



ENVIRONMENTAL WORKSHOPS

The following workshop information is available at <http://www.michigan.gov/deqworkshops>, or by contacting the EAC at 800-662-9278, e-mail deq-ead-env-assist@michigan.gov.

MONTHLY AIR PERMIT APPLICATION WORKSHOP FOR FIRST-TIME APPLICANTS **CONSTITUTION HALL, 525 W. ALLEGAN, LANSING**

This training is designed for first-time air permit applicants who need help completing their permit application; however, those who have applied before and need a refresher are welcome to attend as well. The Monthly Air Permit Application Workshop for First-Time Applicants is designed to provide the information needed to submit an administratively complete and timely application. This workshop includes a mix of both classroom learning and individualized assistance from AQD staff permit engineers who will provide step-by-step instructions through the permit application process. To take full advantage of this time with the AQD permit engineer, it is recommended that participants bring detailed information about their individual project to any one of the following sessions that will be held in Constitution Hall:

November 21, 2007

December 12, 2007

January 16, 2008

February 20, 2008

The registration fee is \$25 and includes the training manual and parking. A [Workshop flyer](#) is available and participants can register on-line at www.michigan.gov/deqworkshops, "Upcoming DEQ Workshops," then scroll down to the "Permit to Install" series. Directions to Constitution Hall and parking are also available on the website or by contacting the [EAC](#) at 800-662-9278.

CLIMATE CHANGE AND ALTERNATIVE ENERGY CONFERENCE **WEDNESDAY, NOVEMBER 28, 2007,** **LANSING COMMUNITY COLLEGE, [WEST CAMPUS CONFERENCE CENTER](#)**

The East and West Michigan Chapters of the Air & Waste Management Association in conjunction with the State Bar of Michigan (Environmental Law Section) have teamed up to sponsor a Fall Conference on Climate Change and Alternative Energy! The program will include speakers from the front lines of the climate change debate and those changing the way we power our lives. Topics include:

- Programs and Regulations Sparked by Global Climate Change
- Implementing Climate Change Policy
- Carbon Strategies
- Energy Options
- Fueling the Future with Ethanol

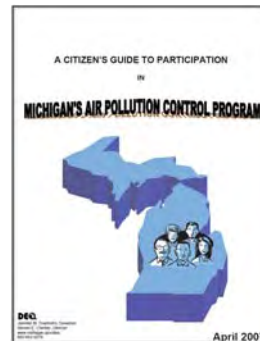
Space is limited! Don't miss out on this full day of cutting edge environmental topics and the chance to interact with state, national and international leaders in the environmental field. An on-line [registration form](#) and [conference brochure](#) is available at <http://www.emawma.org> or <http://www.wmawma.org>.



AIR QUALITY REPORTS

A CITIZEN'S GUIDE TO PARTICIPATION IN MICHIGAN'S AIR POLLUTION CONTROL PROGRAM

The EAP has announced the release of a new guide entitled, *A Citizen's Guide to Participation in Michigan's Air Pollution Control Program*. This publication was developed as a recommendation of the MDEQ's Environmental Advisory Council (Council) and provides an overview of the public notice and public hearing process for the AQD's two permitting programs, and its rulemaking and enforcement programs. It discusses what decisions are made by local, state and federal officials; provides a list of web, hard copy and staff resources for when questions arise during the participation process; instructs citizens on how to provide fact-based comments during the public notice and public hearing process; and details what decisions can be "appealed" and how to file an appeal with a government agency. The Citizen's Guide is available at http://www.michigan.gov/documents/deq/deq-ess-caap-citizensguidetomairpollutioncontrol_195548_7.pdf. All of the Council's recommendations are available from their February 2004 report, *Public Involvement in the DEQ, Recommendations from the Environmental Advisory Council* at <http://www.deq.state.mi.us/documents/deq-whm-eac-finalrec.pdf>. Other citizen involvement information is also available from the MDEQ's website at <http://www.michigan.gov/deq>, "News & Events," then "Citizens Involvement."



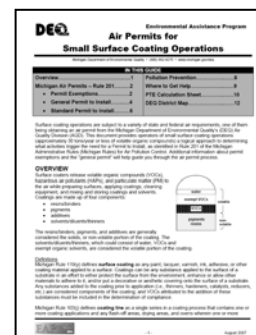
SIXTH EDITION OF THE MICHIGAN CLEAN AIR CONSULTANT DIRECTORY

The AQD and ESSD's Pollution Prevention staff, as well as the state's environmental consultants, play a crucial role in helping business, industry, and the general public comply with the air pollution requirements of Michigan. To assist, the ESSD has released the *Sixth Edition of the Michigan Clean Air Consultant Directory* that was developed to provide a quick look-up table of air quality consultants, detailing what services each provides, and where to locate a specific type of consultant by geographical location. Also included are both "indoor" and "outdoor" air quality issues. For example, in addition to addressing traditional air permitting-related subjects, this consultant directory also provides contact information for industrial hygiene and analytical lab services. It is used by business, industry, and the general public as a reference tool when seeking help to resolve air quality-related problems. Due to budget constraints, the Michigan Clean Air Consultant Directory is only available electronically from the AQD's website at www.michigan.gov/deqair, "Clean Air Assistance," then under "Information," select "Environmental Consultant Assistance." Other air publications also available from the AQD website are located under "Spotlight," then "Air Publications."



AIR PERMITS FOR SMALL SURFACE COATING OPERATIONS

Surface coating operations are subject to a variety of state and federal air requirements, one of them being to obtain an air permit from the AQD. The EAP, with assistance from the AQD, has developed a new fact sheet titled, *Air Permits for Small Surface Coating Operations*. This document provides operators of small surface coating operations (approximately 30 tons per year or less of VOCs) a logical approach to determining what activities trigger the need for a PTI, as identified in Rule 201 of the Michigan air pollution control rules. Additional information about permit exemptions and the general permit are also discussed. This fact sheet can be found on the AQD's website at <http://www.michigan.gov/air>, "Clean Air Assistance" then scroll down to "Surface Coating Operations."





WHAT'S NEW "*IN THE AIR*" FROM EPA'S WEBSITE

The following is a partial listing from April to October 2007 of EPA's current air quality-related information found on the EPA's "What's New" and FR websites (<http://www.epa.gov/epahome/WhatsNew.html> and <http://www.epa.gov/fedrgstr/index.html>, respectively). **Note:** Upcoming FR comment deadline dates and other important dates are shown as **bolded** text.

EPA'S FINAL RULES

[Approval and Promulgation of Michigan's 8-Hour Ozone Redesignation Requests and SIPs](#) – In the May 16, 2007 FR, EPA approved AQD's requests to redesignate the Flint (Genesee and Lapeer Counties), Grand Rapids (Kent and Ottawa Counties), Kalamazoo-Battle Creek (Calhoun, Kalamazoo, and Van Buren Counties), Lansing-East Lansing (Clinton, Eaton, and Ingham Counties), Muskegon (Muskegon County), and Benton Harbor (Berrien County) areas, along with Benzie County, Cass County, Huron County, and Mason County to attainment of the 8-hour ozone NAAQS. In this final rule, effective May 16, 2007, EPA also found adequate and approved for purposes of transportation conformity, the state's 2018 Motor Vehicle Emission Budgets and as revisions to the Michigan SIP, the state's plans for maintaining the 8-hour ozone NAAQS through 2018 for these areas.

[Approval and Promulgation of Michigan's SIP – Updating Methods and Requirements in Part 6 and Part 10](#) – In the August 3, 2007 FR, EPA approved the AQD's March 31, 2006 request, revising Michigan's SIP to amend Rules 627 and 1005, and adopt Rule 1004 (R 336.1627, R 336.2005, and R 336.2004, respectively). These changes take place within Part 6, Emission Limitations and Prohibitions -- Existing Sources of VOC Emissions; Delivery Vessels; Vapor Collection Systems; and Part 10, Intermittent Testing and Sampling, effective October 2, 2007. EPA approved the SIP revision as a direct final rule without prior proposal, viewing this as a noncontroversial revision and anticipating no adverse comments.

[Approval and Promulgation of Michigan SIP - Recordkeeping and Reporting Requirements for Abnormal Conditions](#) – In the October 26, 2007 FR, EPA approved Michigan's June 29, 2007 request, to revise the recordkeeping and reporting requirements for abnormal conditions, start-up, shutdown, and malfunction of a source, process, or process equipment. The revised rule contains more specific and complete recordkeeping and reporting requirements than are currently approved into the Michigan SIP. This final rule is effective December 26, 2007, unless adverse comments are received by **November 26, 2007**.

[Approval and Promulgation of Michigan's SIP - Consumer Products Rule](#) – In the October 26, 2007 FR, EPA announced its approval of MDEQ's February 13, 2007 request, to revise Michigan's SIP with an addition of two rules found in two areas of Part 6, Emission Limitations and Prohibitions - Existing Sources of VOC Emissions. Rule 660 adopts by reference the OTC's Model Rule, with some modifications (R 336.1660), and Rule 661 (R 336.1661) is added to define VOC in Definitions for Consumer Products [SEE PAGES 11 AND 12]. This EPA direct final rule is effective December 26, 2007, unless EPA receives adverse comments by **November 26, 2007**.

Final rule determination and availability of final control techniques guidelines for [Consumer and Commercial Products](#) in lieu of regulations – In the October 9, 2007 FR, EPA determined that control techniques guidelines will be substantially as effective as national regulations in reducing emissions of VOCs in ozone NAAQS nonattainment areas from the following three Group III product categories: paper, film, and foil coatings; metal furniture coatings; and large appliance coatings. Based on this determination, EPA has issued control techniques guidelines in lieu of national regulations for these product categories which will provide guidance to the states concerning EPA's recommendations for RACT-level controls for these product categories. This final action was effective October 9, 2007.

(EPA NEWS CONTINUES ON PAGE 21)

EPA'S FINAL RULES (CONTINUED)

[Ambient Air Monitoring Regulations](#) – In the June 12, 2007 FR, effective September 10, 2007, corrections and clarifications of the October 17, 2006 final rule were finalized amending the ambient air monitoring requirements for criteria pollutants. The errors included instances where wording in the preamble and regulatory text were not consistent, several regulatory text passages that contained some imprecise language, two instances of regulatory text omission, an outdated address, and numerous publication errors in tables and equations. EPA also amended the monitoring rule to allow Regional Administrators to approve departures from the minimum number of PM₁₀ monitors otherwise specified in the rule.

[PM_{2.5} Implementation Rule](#) (Clean Air Fine Particle Implementation Rule) – In the April 25, 2007 FR, EPA issued final rules describing state and tribal SIPs to implement the 1997 PM_{2.5} NAAQS. Air quality designations were effective on April 5, 2005 for 39 areas nationally that were not attaining the 1997 PM_{2.5} standards. By April 5, 2008, each state with a nonattainment area must submit an attainment demonstration and adopted regulations ensuring that the area will attain the standards by 2010.

In the June 8, 2007 FR, in response to a petition submitted by the Natural Resources Defence Council, EPA provided final notice of reconsideration for [Phase 2 of the Final Rule to Implement the 8-Hour Ozone NAAQS](#). On December 19, 2006, EPA proposed a rule to reconsider several issues relating to the November 29, 2005, Phase 2 final rule to implement the 8-hour ozone NAAQS. As a result, the deadline was changed for states in the CAIR region to submit EGU NO_x RACT SIPs for subpart 2 ozone nonattainment areas classified as moderate and above, and the guidance was modified on the issue of NO_x RACT for EGUs in CAIR states. This final rule became effective July 9, 2007.

Final rule correction to the [Requirements for Preparation, Adoption, and Submittal of Implementation Plans](#) – In the June 29, 2007 FR, EPA revised a CFR correction in Title 40, Parts 50 to 51, Appendix S to Part 51, reinstating paragraph II.A.4(iii) to read: The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this ruling whether it is a major stationary source, unless the source belongs to one of a list of specified stationary source categories.

Final rule correction for [CAIR and CAIR Federal Implementation Plans \(FIPs\)](#) – In the October 1, 2007 FR, effective October 1, 2007, EPA has corrected the CAIR to restore a phrase of regulatory text related to state annual emissions reporting requirements that was inadvertently deleted when the rule was amended in 2006. This rule also corrects typographical errors in the spellings of three states and corrects a typographical error in a section citation in the CAIR FIPs regulatory text.

Final rule revising the definition of [Cogeneration Unit in CAIR, CAIR FIPs, CAMR, and other technical corrections](#) – In the October 19, 2007 FR, EPA announced a final rule that changes the cogeneration unit definition in CAIR, the CAIR model cap-and-trade rules, the CAIR FIPs, CAMR, and the CAMR model cap-and-trade rule. Specifically, EPA is revising the calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass, making it more likely that units co-firing biomass will be able to meet the efficiency standard and qualify for exemption. Because this change will only affect a small number of relatively low emitting units, it will have little effect on the projected emissions reductions and the environmental benefits of these rules. If EPA finalizes the proposed CAMR Federal Plan, it intends to make the definitions in that rule conform to the CAMR model cap-and-trade rule, and with this revised rule definition. This revision also clarifies the term “total energy input” used in the efficiency calculation and makes minor technical corrections to CAIR, the CAIR FIPs, CAMR, and the Acid Rain Program rules. This final rule is effective on November 19, 2007.

Final rule amending the [New Source Performance Standards](#) for electric utility steam generating units and industrial/commercial/institutional steam generating units – In the June 13, 2007 FR, EPA amended the NSPS for these steam generating units, effective June 13, 2007. These amendments add compliance alternatives for owners and operators of certain affected sources, revise certain recordkeeping and reporting requirements, correct technical and editorial errors, and update the grammatical style of the four subparts to be more consistent across all of the subparts.

(EPA NEWS CONTINUES ON PAGE 22)

EPA'S FINAL RULES (CONTINUED)

Definition of "Major Emitting Facility" in the [PSD, Nonattainment NSR, and Title V Regulations](#) – In the May 1, 2007 FR, EPA finalized changes, effective July 2, 2007, to the definition of "major emitting facility" in these regulations. Two of the regulatory changes address the major source threshold for PSD sources and the remaining changes address when fugitive emissions are counted for purposes of determining whether a source is a major source under the PSD, nonattainment NSR or Title V programs. Comments were considered on whether wet and dry corn milling facilities that produce ethanol for fuel should continue to be considered a part of the chemical process plants source category, and whether other types of facilities that produce ethanol fuel should be considered for exclusion from the definition of chemical process plants. This final rule includes additional changes that exclude other facilities that produce ethanol by natural fermentation, classified as 325193 or 312140 in North American Industry Classification System from the definition of chemical process plants.

Removing vacated elements of [PSD and Nonattainment NSR](#) – In the June 13, 2007 FR, EPA amended its regulations to eliminate the pollution control project (PCP) and clean unit (CU) provisions included in its December 31, 2002 rulemaking on PSD and Nonattainment NSR: Baseline Emissions Determination, Actual-to-Future-Actual Methodology, Plantwide Applicability Limitations, Clean Unit, and Pollution Control Project. This final rule, effective June 13, 2007, conforms the regulations to the decision by the U.S. Court of Appeals for the D.C. Circuit, *New York v. EPA*, 413 F.3d 3, vacating the PCP and CU provisions.

[NESHAP for Area Sources](#): Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing - Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery Manufacturing, and Wood Preserving. – In the July 16, 2007 FR, EPA issued six NESHAPs for the above area source categories. These final rules include emission standards that reflect the generally available control technologies or management practices in each of these area source categories. These final rules were effective on July 16, 2007.

[General Provisions for Standards of Performance for New Stationary Sources, NESHAP, and NESHAP for Source Categories](#) – In the May 16, 2007 FR, EPA promulgated revisions to this rule allowing extensions to the deadline imposed for source owners and operators to conduct an initial or subsequent performance test required by applicable regulations. This final rule was effective on May 16, 2007.

In the August 27, 2007 FR, EPA also finalized revisions to the [Consolidated Federal Air Rule](#) to revise and allow the same type of extensions to deadlines imposed for source owners and operators to conduct required performance tests in certain specified force majeure circumstances that were included in the May 16, 2007 final rule for the General Provisions for Standards of Performance for New Stationary Sources, NESHAPs, and NESHAP for Source Categories. This rule is effective November 26, 2007 unless adverse comments are received.

[NESHAP for Plywood and Composite Wood Products](#) – On June 19, 2007, the U.S. Court of Appeals for the District of Columbia Circuit vacated EPA's provisions in this NESHAP that established an October 1, 2008 compliance deadline, and that created and delisted a low risk subcategory of plywood and composite wood products facilities. Provided in the October 29, 2007 FR, is the Court's decision and ministerial amendments are promulgated, effective October 29, 2007.

[Treatment of Data Influenced by Exceptional Events](#) – In the May 22, 2007 FR, EPA made minor corrections to language contained in the March 22, 2007, final rule which governs the review and handling of air quality monitoring data determined to be influenced by exceptional events. As published, the final rule contained errors which may be misleading and were in need of clarification. The revisions were effective May 22, 2007.

[Nonroad Diesel Technical Amendments and Tier 3 Technical Relief Provision](#) - In the September 18, 2007 FR, effective November 19, 2007, certain technical corrections to the rules establishing emission standards for nonroad diesel engines were made, which included a production technical relief provision for Tier 3 equipment, similar to the technical relief provision already available for Tier 4 equipment.

(EPA NEWS CONTINUES ON PAGE 23)

EPA'S PROPOSED RULES

Extension of comment period for [Hazardous Waste Combustors NESHAP](#) – In the October 18, 2007 FR, EPA has announced that the comment period for the Solicitation of Comment on Legal Analysis, published on September 27, 2007 (72 FR 54875), is being extended until **November 27, 2007**. In that notice, EPA specifically identifies which standards for hazardous waste combustors, promulgated on October 12, 2005 (70 FR 59402), are consistent with the CAA and case law, and which standards are not and need to be reexamined through a subsequent rulemaking. This standards analysis is being done in response to several opinions issued by the United States Court of Appeals for the District of Columbia Circuit that call into question the legality of some of the standards for hazardous waste combustors.

Extension of the comment period on the [proposed flexible air permitting rule](#) for the operating permit programs and PSD and Nonattainment NSR – In the October 18, 2007 FR, the comment period has been extended to **January 14, 1008**, for the proposed revision of the regulations governing state and federal operating permit programs required by the CAA. Based on pilot permit experiences, the proposal develops flexible air permitting approaches that provide greater operational flexibility and, at the same time, ensure environmental protection and compliance with applicable laws (see [September 12, 2007 FR](#)). In the pilot permits, increased flexibility is primarily achieved through advance approvals under NSR and alternative operating scenarios. The proposed revisions clarify how this can be done in the existing regulatory framework of the operating permit programs. The proposed revisions also add major NSR requirements for Green Groups, which allow future changes to occur within a group of emissions activities, provided they are ducted to a common air pollution control device, determined to meet best available control technology or lowest achievable emission rate, as applicable, and comply with all relevant ambient requirements.

[PSD for PM_{2.5} - Increments, Significant Impact Levels and Significant Monitoring Concentration](#) - In the September 21, 2007 FR, EPA proposed to facilitate implementation of a PM_{2.5} PSD program in areas attaining the PM_{2.5} NAAQS by developing PM_{2.5} increments, Significant Impact Levels, and a Significant Monitoring Concentration. When final, these elements will supplement the final NSR implementation rule for PM_{2.5}, and the Federal PM_{2.5} NSR programs will no longer have to rely on the PM₁₀ program as a surrogate. A state implementing a NSR program in an EPA approved SIP may continue to rely on the interim surrogate policy until a revised SIP is approved addressing these requirements. The proposal also revokes the annual PM₁₀ increments. Comments must be received on or before **November 20, 2007**.

[NESHAP From Petroleum Refineries](#) – In the September 4, 2007 FR, EPA proposed amendments to add emissions standards for cooling towers along with options for both wastewater treatment systems and storage vessels to address the risk remaining after application of the 1995 standards. Also included are the results of EPA's 8-year review of developments in practices, processes, and control technologies that have occurred since the emissions standards were adopted. Comments are due by **November 5, 2007**.

EPA PUBLICATIONS

In the September 18, 2007 FR, the [Integrated Science Assessment \(ISA\) for SO₂ - Health Criteria \(First External Review Draft\)](#) was released for public review and comment. This draft ISA document represents a concise synthesis and evaluation of the most policy-relevant science and will ultimately provide the scientific bases for EPA's decision regarding whether the current standard for SO₂ sufficiently protects public health. The deadline for comments is **November 30, 2007**.

[ISA for CO](#) – As announced in the September 13, 2007 FR, EPA Office of Research and Development's National Center for Environmental Assessment is preparing an ISA as part of the review of the CO NAAQS. This is intended to update and revise, where appropriate, the scientific assessment presented in the Air Quality Criteria for Carbon Monoxide (EPA 600/P-99/001F), published in June 2000. Interested parties are invited to assist the EPA in developing and refining the scientific information base for the review of the CO NAAQS by submitting research studies that have been published, accepted for publication, or presented at a public scientific meeting. All communications and information should be received by **December 14, 2007**.

(EPA NEWS CONTINUES ON PAGE 24)

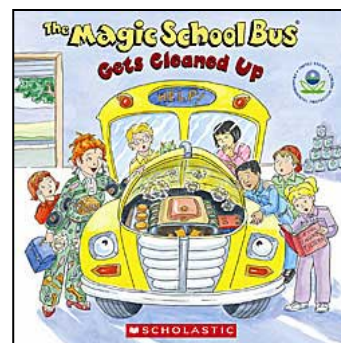
EPA PUBLICATIONS (CONTINUED)

Low emissions and good fuel economy are both important for the environment. The newly improved [Green Vehicle Guide](#) allows consumers to view photos and perform customized side-by-side comparisons of the cleanest and most fuel-efficient vehicle models available.

Implementation of the Renewable Fuel Standard rulemaking are addressed in an updated [Renewable Fuel Standard Questions and Answers \(Q&A\) document](#) which includes questions answered in the prior version (dated May 2007) and new questions received between May and August 2007. This document and other information on the Renewable Fuel Standard Program is available on the EPA website at <http://www.epa.gov/otaq/renewablefuels/index.htm#ga>.

The Mobile Source Air Toxics ([MSAT2](#)) Q&A document (August 2007) addresses many questions on implementation and compliance with the [Control of Hazardous Air Pollutants from Mobile Sources](#) (February 26, 2007 FR). This rule limits the benzene content of gasoline and reduces toxic emissions from passenger vehicles and gas cans. The answers provided in the MSAT2 Q&A document represent EPA's interpretation and general plans for implementation at this time, and some of the responses may change as additional information becomes available or as EPA reconsiders certain issues. MSAT2 regulations, regulatory supporting documents, Q&A documents and other MSAT2 related documents are on the EPA website at <http://www.epa.gov/otaq/toxics.htm>.

[The Magic School Bus Gets Cleaned Up](#) - The Clean School Bus USA program released on [October 18th](#), a book produced with Scholastic to teach children about air pollution from diesel buses and what can be done to reduce it. This new special edition book based on the popular the Magic School Bus Scholastic series – takes children on a smart, fun and colorful trip to learn what can be done to protect their lungs and their world from air pollution. In “The Magic School Bus Gets Cleaned Up,” the children and Ms. Frizzle explore the pollution emitted from their own diesel school bus and learn about how to reduce the emissions as they find themselves traveling through a diesel engine. The children learn about idle reduction and ways the community can help reduce the health risks from diesel exhaust. At the end of the book, the “Magic School Bus” gets its own pollution control device, a diesel particulate filter. This special-edition book is intended to be used by libraries, schools, state and local air programs, non-profit education and outreach campaigns, and for other targeted opportunities to increase awareness of the importance of reducing diesel emissions. More information about the book and how to order can be found at epa.gov/otaq/schoolbus/msb-book.htm.



Based on the Magic School Bus Gets Cleaned Up, Scholastic operates a real [traveling science laboratory](#) housed in a yellow school bus, retrofitted with a diesel particulate filter (donated by Caterpillar). The bus tours the United States, offering hands-on science lessons to children at schools, fairs, and other community events.



Children are especially vulnerable to the effects of diesel emissions, which can cause respiratory disease and exacerbate long-term conditions, such as asthma. EPA has set stringent standards to dramatically cut NO_x and PM from new heavy-duty diesel engines, such as those used in school buses. EPA addresses emissions from the nation's existing fleet of school buses through Clean School Bus USA, a component of the National Clean Diesel Campaign. Clean School Bus USA brings together partners from business, education, transportation and public health organizations to eliminate unnecessary school bus idling, add pollution control devices to buses, and replace the oldest buses with new, cleaner buses. More about the Clean School Bus USA is at epa.gov/otaq/schoolbus.